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09/610,107	07/05/2000	Keiichi Koshiba	P19702.P03	4696
7055 7590 04/25/2007 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER SHANG, ANNAN Q	
			ART UNIT	PAPER NUMBER
			2623	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		04/25/2007	ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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# Office Action Summary

Application No.

09/610,107

Applicant(s)

KOSHIBA, KEIICHI

Examiner

Annan Q. Shang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 50-85 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 50-85 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments/amendments with respect to claims 50-85 have been considered but are moot in view of the new ground(s) of rejection.

With respect to independent claims 50-85 rejected under 35 U.S.C. 102(e) as being anticipated by **Ichihashi et al (5,903,262)**, applicant amends the independent claims and argues that the prior art of records does disclose the amended claim limitations as recited (see page 16+ of Applicant's Remarks).

In response, Examiner disagrees. Examiner notes applicant's arguments, however, Ichihashi meets all the claim limitations, since the communication devices are independently distinct as each device performs different function as illustrated in figs. 3, 4 and 30. Furthermore user orders (products) including data associated with the order are automatically transmitted to sever 4/5, which processes the orders accordingly after receiving the necessary information (User ID, credit information, etc.,) associated with the user (figs.35-38, col.14, line 62-col.15, line 22, col.17, line 57-col.18, line 4col.14, line 63-col.15, line 22), as discussed in the office action below. The amendment to all the claims necessitated the new ground(s) of rejection discussed above. **This office action is final.**

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 50-85 rejected under 35 U.S.C. 102(e) as being anticipated by **Ichihashi et al (5,903,262)**.

As to claim 50, note the **Ichihashi** reference figures 1-4, discloses interactive television system with script interpreter and further discloses a data management method, comprising:

Receiving, at an information manager (Broadcast Station-1/Server-4 'BSS1/4') from a first communications device (figs.3-4, 30, TVR-31) associated with an information recipient, and independently of a second communications device (Modem 'M' 34) distinct from the first communication device, an information recipient identification (machine ID, individual ID, address, name, postal code, telephone number, drivers permit number, mail box, etc., col.8, line 62-col.9, line 3, line 11-17, line 52-60 and col.24, lines 18-64) that identifies the information recipient and content identification particular to and distinctly identifying content selected by the information recipient (figs.35-38, col.14, line 20-23, line 62-col.15, line 22 and col.17, line 57-col.18, line 4), the content being provided to the information recipient by a unidirectional

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communication (via Communication C-2) from an information provider (BSS1/4), the content identification being stored in a database (Database 4/5) in association with the information recipient identification when the information manager receives the content identification and information recipient identification (col.14, line 62-col.15, line 22, col.17, line 57-col.18, line 4 and line 61-col.19, line 5), and the content identification being linked in the database to reference data (see fig.38, ABCD CORPORATION, note that each shopping item or set of items is associated with data which identifies the each item and further includes a merchant, trader, etc., information) associated with the item or the order selected by the information recipient (col.22, line 42-63 and col.26, line 63-col.27, line 50); and

Permitting access to the information manager from the second communications device (M-34) independently of the first communications device (col.8, line 56-col.9, line 3), wherein the database enables access to the reference data linked to the content identification from the second communications device (col.8, line 56-col.9, line 3, col.14, line 62-col.15, line 22, col.17, line 57-col.18, line 4 and line 61-col.19, line 5), note that the communication devices are independently distinct as each performs different function as illustrated in figs. 3, 4 and 30.

As to claim 51, Ichihashi further discloses where the content is received at a content receiving device from the information provider, wherein the first communications device receives a signal from the content receiving device when the information recipient selects content, and wherein the first communications device forwards the information recipient identification and the content identification to the information

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manager based on the signal received from the content receiving device (col.8, line 56-col.9, line 3, col.14, line 62-col.15, line 22, col.17, line 57-col.18, line 4 and line 61-col.19, line 5).

As to claim 52, Ichihashi further discloses where the content is received at a content receiving device from the information provider, where the first communications device receives a signal from a remote controller (RC308) when the information recipient selects content, and wherein the first communications device forwards the information recipient identification and the content identification to the information manager based on the signal received from the remote controller (col.8, line 56-col.9, line 23, col.14, line 62-col.15, line 22 and col.17, line 57-col.18, line 4).

As to claim 53, Ichihashi further discloses where the content is received at the first communications device from the information provider, where the first communications device receives a signal from a remote controller when the information recipient selects content, and wherein the first communications device forwards the information recipient identification and the content identification to the information manager based on the signal received from the remote controller (col.8, line 56-col.9, line 23, col.14, line 62-col.15, line 22 and col.17, line 57-col.18, line 4).

As to claim 55, Ichihashi further discloses where the content is received by and presented to the information recipient using a content receiving device, and where a portable controller is used to select the selected content (col.8, line 56-col.9, line 23 and col.10, lines 10-41).

As to claim 56, Ichihashi further discloses where the information recipient identification comprises one of a personal identification that uniquely identifies an individual information recipient, and a group identification that identifies a group of associated individual information recipients (col.8, line 56-col.9, line 23, col.14, line 62-col.15, line 22 and col.17, line 57-col.18, line 4).

As to claim 57, Ichihashi further discloses where the content identification comprises at least one of a time when the information recipient selects the selected content, and a channel by which the information recipient receives the selected content (col.7, lines 23-52, col.8, line 56-col.9, line 23 and col.10, lines 10-41).

As to claim 58, Ichihashi further discloses where the content identification comprises codes, which identify the selected content, the codes being applied to the content prior to the content being provided to the information recipient (col.8, line 56-col.9, line 23, col.14, line 62-col.15, line 22 and col.17, line 57-col.18, line 4).

As to claim 59, Ichihashi further discloses where the reference data comprises at least one of detailed information, which describes the selected content and detailed information, which describes a subject of selected content (figs.8-15, col.14, line 20-col.15, line 1+).

As to claim 60, Ichihashi further teaches where the reference data comprises at least one of date indicating information which indicates a date when the selected content is selected, a program indicating information which indicates an identity of the selected content as a media program, a program genre indicating information which indicates a genre of the selected content, a region indicating information which indicates

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a region in which the selected content is selected, and a sponsor indicating information which identifies a sponsor of the selected content (col.12, lines 25-64, col.14, line 20-34, line 62-col.15, line 23 and col.17, line 56-col.18, line 1+).

As to claim 61, Ichihashi further discloses where the reference data comprises at least one of date indicating information, program indicating information, program genre indicating information, region indicating information, and sponsor indicating information, wherein at least one of the date indicating information, the program indicating information, the program genre indicating information, the region indicating information, and the sponsor indicating information is retrieved by the second communications device as at least one retrieval key using the information manager, and wherein the at least one retrieved retrieval key is displayed on the second communications device in order based on frequency of usage (col.12, lines 25-64, col.14, line 20-34, line 62-col.15, line 23 and col.17, line 56-col.18, line 1+).

As to claim 62, Ichihashi further discloses where the content comprises at least one of audio information and video information (col.6, lines 25-col.7, line 1+)

As to claim 63, Ferris further discloses where the content comprises information included in printed material (col.6, lines 25-col.7, line 1+)

As to claim 64, Ichihashi further discloses where the content comprises at least one of broadcast information, aired information, and information disclosed at an event (col.6, lines 25-col.7, line 1+).



As to claim 65, Ichihashi further discloses storing in the database, by the information manager, the information recipient identification and the content identification (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+).

As to claim 66, Ichihashi further discloses where the information recipient identification and the content identification are stored in the database by an apparatus external to the information manager (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+).

As to claim 67, Ichihashi further discloses storing in the database, by the information manager the reference data (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+).

As to claim 68, Ichihashi further discloses where the reference data is stored in the database by an apparatus external to the information manager (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+).

As to claim 69, Ichihashi further discloses where the reference data is added to the content prior to the content being selected by the information recipient (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+).

As to claim 70, Ichihashi further discloses where the information manager calls at least one of the content and the reference data upon receiving the information recipient identification and the content identification, the called at least one of the content and the reference data being stored in the database in association with the information recipient identification (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+).

As to claim 71, Ichihashi further discloses receiving the selected content at the information manager and storing the selected content in the database by the information manager (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+).

As to claim 72, Ichihashi further discloses where receiving the selected content at the information manager, where the selected content is stored in the database by an apparatus external to the information manager (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+).

As to claim 73, Ichihashi further discloses where the information recipient receives the content using at least one of a set top box and a television receiver (col.6, lines 40-col.7, line 21).

As to claim 74, Ichihashi further discloses where the content recipient identification comprises one of a code particular to a content receiving device, a code particular to a selected content identification transmission device, and a code particular to the content recipient who selects the content (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+).

As to claim 75, the claimed "An information manager that receives, from a first communications device associated with an information recipient..." is composed of the same structural elements that were discussed with respect to the rejection of claim 50.

As to claim 76, Ichihashi further discloses a read-out device configured to read out the reference data stored in the database at the request of the second communications device; and a reference data transmitter that transmits the reference data to the second communications device at the request of the second

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communications device (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+, col.18, lines 61-col.20, line 52).

As to claim 77, Ichihashi further discloses a read-out device configured to read out at least one of the content identification and the reference data stored in the database at the request of the second communications device; and a data transmitter that transmits at least one of the content identification and the reference data linked to the content identification to the second communications device at the request of the second communications device (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+, col.18, lines 61-col.20, line 52).

As to claim 78, Ichihashi further discloses where a mark added to the content indicates that the reference data has been added to the content (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+, col.18, lines 61-col.20, line 52).

As to claim 79, Ichihashi further discloses where the information recipient receives the content at a set top box, the set top box comprising: a content receiver; a designation signal receiver that receives signals for selecting content from a remote controller; and a data sender that sends content identification for selected content to the information manager via the first communications device (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+, col.18, lines 61-col.20, line 52).

As to claim 80, Ichihashi further discloses where the first communications device comprises a set top box used by the information recipient to receive the content, the set top box comprising: a content receiver; a designation signal receiver that receives signals for selecting content from a remote controller; and a data sender that sends

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content identification for selected content to the information manager (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+, col.18, lines 61-col.20, line 52).

As to claim 81, Ichihashi further discloses where the information recipient receives the content at a television receiver, the television receiver comprising: a content receiver; a display device that displays the received content; a designation signal receiver that receives signals for selecting content from a remote controller; and a data sender that sends content identification for selected content to the information manager via the first communications device (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+, col.18, lines 61-col.20, line 52).

As to claim 82, Ichihashi further discloses where the first communications device comprises a television receiver used by the information recipient to receive the content, the television receiver comprising: a content receiver; a display device that displays the received content; a designation signal receiver that receives signals for selecting content from a remote controller; and a data sender that sends content identification for selected content to the information manager (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+, col.18, lines 61-col.20, line 52).

As to claim 83, Ichihashi further discloses where the second communications device comprises one of a navigation terminal and a PHS, and wherein a region indicator is compared with current position information resident in one of the navigation terminal and the PHS, and, when the region indicator and the current position information match a similarity threshold, at least one of the selected content and the

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reference data is displayed on the second communications device (col.8, line 56-col.9, line 34 and col.14, line 62-col.15, line 1+, col.18, lines 61-col.20, line 52).

As to claim 84, the claimed "A data management method, comprising... is composed of the same structural elements that were discussed with respect to the rejection of claim 50.

As to claim 85, the claimed "A data management system, comprising... is composed of the same structural elements that were discussed with respect to the rejection of claim 50.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Ichihashi et al (5,903,262)** as applied to claim 50 above, and in view of **Abecassis (6,408,128)**.

As to claim 54, Ichihashi fails to explicitly teach where the remote controller comprises a plurality of information designating buttons for separate individuals, each information designating button corresponding to a different information recipient identification.

However, note the **Abecassis** reference figure 2, discloses a remote controller comprises a plurality of designation buttons for separate individuals, each information designating button corresponding to a different information recipient identification (col.9, line 61-col.10, line 16).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Abecassis into the system of Ichihashi to customized defined keys for separate users to permit a reduced set of function keys for each user.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

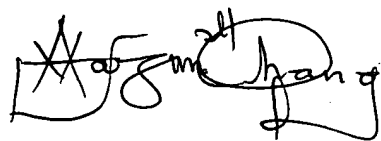
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at **866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, call **800-786-9199 (IN USA OR CANADA)** or **571-272-1000**.

A handwritten signature in black ink, appearing to read 'Annan Q. Shang', with a stylized 'S' and 'Q'.

**Annan Q. Shang**